

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

JORGE LUIS ESTRADA COREANO
ELIZABETH COTTO CHINEA

DEBTORS

CASE NO 18-03557 EAG

CHAPTER 13

**DEBTORS' REPLY TO *TRUSTEE'S MOTION TO DISMISS*
DOCKET NO. 28**

TO THE HONORABLE COURT:

COME NOW, JORGE LUIS ESTRADA COREANO and ELIZABETH COTTO CHINEA, the Debtors in the above captioned case, through the undersigned attorney, and very respectfully state and pray as follows:

1. On October 13, 2020, the Chapter 13 Trustee filed a *Trustee's Motion to Dismiss*, Docket No. 28, on the grounds that the Debtors were in arrears in the confirmed Plan payments, in the above captioned case.

2. On October 20, 2020, the Court granted the Debtors' request for an extension of time within to reply to the Trustee's motion for dismissal, Docket No. 29, and the Court had granted the same. See: *ORDER*, Docket No. 32.

3. The Debtors respectfully state that on this same date, December 14, 2020, the Debtors filed a request to convert the above captioned Chapter 13 case to a case under Chapter 7 of the Bankruptcy Code, Docket No. 34, in the present case.

4. Should this Honorable Court grant the Debtor's request for conversion to a case under Chapter 7, the Trustee's request for dismissal, would become "moot".

5. Based on the aforementioned, the Debtors respectfully request this Honorable Court that upon conversion to a case under Chapter 7, to deny the Trustee's motion for dismissal, Docket No. 28 since upon conversion to Chapter 7, said motion for dismissal becomes "moot".

WHEREFORE the Debtors respectfully pray that based on the above stated grounds, the Trustee's motion for dismissal, Docket No. 28, be denied.

I **HEREBY CERTIFY** that on this same date a copy of this notice was sent via electronically with the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee Alejandro Oliveras Rivera, Esq., the the US. Trustee's Office; and also I certify that I have mailed by United States Postal Service copy of this motion to the following non-participant: the Debtors, Jorge Luis Estrada Coreano and Elizabeth Cotto Chinaa, PMB 365 RR8 Box 1995 Bayamon PR 00956, in the above captioned case.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 14th day of December, 2020.

/s/ **Roberto Figueroa Carrasquillo**
USDC #203614
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